



## FISCAL MEMORANDUM

### SB 267 - HB 315

February 8, 2023

**SUMMARY OF BILL AS AMENDED (003746):** Reduces, from 828 to 804, the allowable number of beds in private for-profit and private not-for-profit intermediate care facilities for persons with intellectual disabilities (ICF/IID), upon the voluntary surrender by the certificate of need (CON) providers. Establishes that an available private ICF/IID bed may be filled only upon completion of a community-informed choice process (CICP) established and administered by the Department of Intellectual and Developmental Disabilities (DIDD). Requires the DIDD to demonstrate a commitment to ensuring the individual's freedom of choice and ensure that each eligible service recipient is fully informed of all services available to the recipient, including community ICF/IID facilities and the specialized services the facilities provide.

Permanently reduces the total number of private for-profit and not-for-profit ICF/IID beds upon voluntary surrender of a CON for the specified number of ICF/IID beds by the owner.

### FISCAL IMPACT OF BILL AS AMENDED:

#### NOT SIGNIFICANT

Assumptions for the bill as amended:

- According to information provided by DIDD, the proposed legislation would limit the allowable number of ICF/IID beds to the number currently licensed in the state. Therefore, no estimated change in tax revenue collected from ICF/IID facilities pursuant to Tenn. Code Ann. § 68-11-830(d)(2), or expenditures made by the Division of TennCare.
- To the extent that the number of ICF/IID beds is permanently reduced following the voluntary surrender of a CON there will likely be a decrease in state revenue; however, the timing and extent of any voluntary surrenders cannot be reasonably determined.
- The DIDD can establish and administer the CICP process within existing personnel and resources.
- Based on information from the Health Facilities Commission, the provisions of the proposed legislation can be accommodated within existing resources.
- Any fiscal impact to state or local government is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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